

Memorandum

To: Julie Dubick
From: James Ingram
Re: Proposed language regarding appointments to outside organizations
Date: July 12, 2007

Per the Subcommittee on Duties of Elected Officials' June 30 request for proposed charter language regarding a nomination procedure for city representatives on outside organizations, I am proposing the following:

"A) For all agencies, boards, commissions, committees, or other entities for which state or federal law requires or authorizes the City Council to act as the appointing authority, the following appointment procedure shall be employed:

- 1) The Mayor shall nominate each member of the agency, board, commission, committee or other entity, subject to confirmation by the City Council.
- 2) If the City Council fails to act upon the Mayor's nominee within forty five (45) days after submission of the nomination to the City Council, the City Council's failure to act shall constitute confirmation of such nominee.
- 3) If the Mayor fails to nominate a member within forty five (45) days after a vacancy first exists, the City Council shall appoint the member within ninety (90) days after the vacancy first exists.
- 4) If the Mayor submits a nomination to the City Council within said forty five (45) day period and the City Council rejects the nominee, the Mayor shall make a new nomination and the forty five (45) day nomination period shall commence on the date of said rejection.

B) The nomination procedure set forth in section A, above, shall not apply to a redevelopment agency or housing authority established under state law where the City Council has declared itself to be the agency or authority."

This language avoids a conflict with the Redevelopment Agency issues being discussed by the Interim Strong Mayor Subcommittee. It is drawn narrowly enough that it should only affect those organizations which were made subject to Council appointment with a Mayoral veto by the City Attorney's opinion of February 28, 2006.